

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION**

CRYSTAL F. TUCKER, KELLY
BRUMLEY,

Plaintiffs,

v.

CORRECT CARE SOLUTIONS, LLC,
GARY SOILEAU, ANITA BARBEE, BILL
KISSELL,

Defendants.

No. 2:17-cv-02942-TLP-cgc

JURY DEMAND

**ORDER CLARIFYING DEFICIENCY NOTICE AND GRANTING PLAINTIFFS'
REQUEST FOR ISSUANCE OF SUMMONS**

Before the Court is Plaintiffs' Motion for Clarification filed on August 8, 2018. (ECF No. 41). Plaintiffs move this Court to clarify the reasons that a Deficiency Notice (ECF No. 39) was issued on September 11, 2018, in response to Plaintiffs' Notice of Summons. (ECF No. 38). Plaintiffs further pray for relief from such deficiency notice.

Pursuant to the Joint Stipulation of Dismissal of Defendants Soileau, Barbee, and Kissell filed on March 09, 2018 (ECF No. 21), this Court entered a Judgment Dismissing Defendants Soileau, Barbee, and Kissell Without Prejudice. (ECF No. 23). Thereafter, Plaintiffs filed a Motion to Amend Complaint (ECF No. 32) on May 09, 2018, which was granted by the Court on June 18, 2018. (ECF No. 34). The Order Granting Plaintiffs' Motion to Amend Complaint (*id.*) stated only that Plaintiffs wished to amend the complaint to assert additional claims, but failed to clarify that Plaintiffs intended to reassert claims against previously dismissed Defendants Soileau, Barbee, and Kissell. Due to this discrepancy, upon

filing the Amended Complaint (ECF No. 35) on June 19, 2018, dismissed Defendants' status remained "termed." Therefore, a Deficiency Notice (ECF No. 39) was directed to Plaintiffs upon the issuance of a Notice of Summons (ECF No. 38) to the dismissed Defendants.

The Court finds that the Motion for Clarification is well-taken and, therefore, GRANTED. It is ORDERED that an alias summons may issue as to Defendants Gary Soileau, Anita Barbee, and Bill Kissell.

SO ORDERED, this 22nd day of August, 2018.

s/Thomas L. Parker
THOMAS L. PARKER
UNITED STATES DISTRICT JUDGE